

AMENDMENTS TO THE CLAIMS

1-3. (Canceled).

4. (Currently Amended) ~~The nucleic acid molecule of claim 2, wherein said A nucleic acid molecule comprising sequences encoding the pre-membrane and envelope proteins of a West Nile virus and the capsid and non-structural proteins of a Yellow Fever virus, wherein said envelope protein comprises attenuating amino acid substitutions substitution is in position 316 and position 440, or the complement of said nucleic acid molecule.~~

5. (Currently Amended) The nucleic acid molecule of claim 4 2, wherein said nucleic acid molecule further comprises an amino acid substitution is in amino acid position positions 107, 316, and 440.

6. (Currently Amended) The nucleic acid molecule of claim 5 2, wherein said amino acid substitution at position 107 is leucine to phenylalanine, or a conservative amino acid of phenylalanine.

7. (Currently Amended) The nucleic acid molecule of claim 4 2, wherein said amino acid substitution at position 316 is alanine to valine, or a conservative amino acid of valine.

8. (Currently Amended) The nucleic acid molecule of claim 4 2, wherein said amino acid substitution at position 440 is lysine to arginine, or a conservative amino acid of arginine.

9. (Currently Amended) A chimeric flavivirus encoded by the nucleic acid molecule of claim 4 4.

10. (Original) A method of inducing an immune response to West Nile virus in a subject, said method comprising administering to the subject the chimeric flavivirus of claim 9.

11. (Original) The method of claim 10, wherein said subject is at risk of developing, but does not have, West Nile virus infection.

12. (Original) The method of claim 10, wherein said subject is infected with West Nile virus.

13. (Currently Amended) A method of making a chimeric flavivirus vaccine, comprising introducing the nucleic acid molecule of claim 4 4 into cells.

14. (Canceled).

15. (Currently Amended) The nucleic acid molecule of claim 4 4, wherein said nucleic acid molecule comprises the genome of a chimeric flavivirus comprising the pre-membrane and envelope proteins of West Nile virus and the capsid and non-structural proteins of Yellow Fever virus, wherein said envelope protein comprises attenuating amino acid substitutions in position

316 and position 440 or the complement thereof.

16-18. (Canceled).

19. (Currently Amended) The chimeric flavivirus of claim 9 16, wherein the envelope protein of said chimeric flavivirus further comprises an amino acid substitution is in amino acid position positions 107, 316, and 440.

20. (Currently Amended) The chimeric flavivirus of claim 19 16, wherein said amino acid substitution at position 107 is leucine to phenylalanine, or a conservative amino acid of phenylalanine.

21. (Currently Amended) The chimeric flavivirus of claim 9 16, wherein said amino acid substitution at position 316 is alanine to valine, or a conservative amino acid of valine.

22. (Currently Amended) The chimeric flavivirus of claim 9 16, wherein said amino acid substitution at position 440 is lysine to arginine, or a conservative amino acid of arginine.

23-25. (Canceled).

26. (Currently Amended) The method of claim 10 23, wherein the envelope protein of said chimeric flavivirus further comprises an amino acid substitution is in amino acid position

~~positions 107, 316, and 440.~~

27. (Currently Amended) The method of claim ~~26~~ 23, wherein said amino acid substitution at position 107 is leucine to phenylalanine, or a conservative amino acid of phenylalanine.

28. (Currently Amended) The method of claim ~~10~~ 23, wherein said amino acid substitution at position 316 is alanine to valine, or a conservative amino acid of valine.

29. (Currently Amended) The method of claim ~~10~~ 23, wherein said amino acid substitution at position 440 is lysine to arginine, or a conservative amino acid of arginine.

30-32. (Canceled).

33. (Currently Amended) The method of claim ~~13~~ 30, wherein the envelope protein of said chimeric flavivirus further comprises an amino acid substitution is in amino acid position ~~positions 107, 316, and 440.~~

34. (Currently Amended) The method of claim ~~33~~ 30, wherein said amino acid substitution at position 107 is leucine to phenylalanine, or a conservative amino acid of phenylalanine.

35. (Currently Amended) The method of claim 13 30, wherein said amino acid substitution at position 316 is alanine to valine, or a conservative amino acid of valine.

36. (Currently Amended) The method of claim 13 30, wherein said amino acid substitution at position 440 is lysine to arginine, or a conservative amino acid of arginine.

37. (Previously Presented) A vaccine composition comprising the flavivirus of claim 9.

38-40. (Canceled).

41. (Currently Amended) The vaccine composition of claim 37 38, wherein the envelope protein of said chimeric flavivirus further comprises an amino acid substitution is in amino acid position positions 107, 316, and 440.

42. (Currently Amended) The vaccine composition of claim 41 38, wherein said amino acid substitution at position 107 is leucine to phenylalanine, or a conservative amino acid of phenylalanine.

43. (Currently Amended) The vaccine composition of claim 37 38, wherein said amino acid substitution at position 316 is alanine to valine, or a conservative amino acid of valine.

44. (Currently Amended) The vaccine composition of claim 37 38, wherein said amino

acid substitution at position 440 is lysine to arginine, or a conservative amino acid of arginine.